IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 23261 of 2004

Between:

1 St. Anne's Educational Society, Mirzalguda, Malkajgiri, Hyderabad rep by its Secretary Smt. P. Vijayalaxmi
2 St. Anne's College of Education, Chevella, Ranga Reddy District, rep by its Correspondent Smt. P. Vijayalaxmi

..... PETITIONERS

AND

1 The State of Andhra Pradesh, Rep by its Secretary, Education Dept., Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of School Education, Andhra Pradesh,

Hyderabad.
3 The District Educational Officer, R.R. District, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ more in the nature of a writ of Mandamus declaring the action of the 3rd respondent in not returning the FDR deposited with him which was drawn in the joint account of the 1st petitioner society and the DEO, RR District with his endorsement to enabling the 1st petitioner society to encash the same as being arbitrary and illegal, violative of article 14 of the constitution of India and the directions of this Court in W.P.No. 7184/2003 dt. 29-4-2003 and issue consequential direction to the 3rd respondent DEO to forthwith return the FDR with his endorsement.

Counsel for the Petitioner : Mr.CH.SAMSON BABU

Counsel for Respondents : G.P. FOR HIGHER EDUCATION

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Education.

It is submitted by the learned counsel for petitioner and admitted to by the learned Government Pleader that the subject matter of this writ petition is squarely covered by the judgment of this Court in W.P.No. 7184 of 2003 dated 29.4.2003.

In the circumstances, following the order passed in W.P.No.7184 of 2003 dated 29.4.2003 and for the reasons mentioned therein, this writ petition is also disposed of by and in terms thereof. While communicating this order, a copy of the order passed in W.P.No.7184 of 2003 dated 29.4.2003 shall be enclosed.

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N.V.RAMANA, J

Date: 28.12.2004

DA

To

1 The Secretary, Govt. of Andhra Pradesh, Education Dept.,
Secretariat Buildings, Hyderabad.
2 The Commissioner & Director of School Education, Andhra Pradesh,

Hyderabad.
3 The District Educational Officer, R.R. District, Hyderabad.

4 Two CCs to the G.P. for Education, High Court Buildings,

Hyderabad (OUT).

5 Two C.D. copies.